

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

ERIN COLLEEN SULLIVAN,)
)
Plaintiff,)
v.) No. 2:16-CV-361-HBG
)
NANCY A. BERRYHILL,)
Acting Commissioner of Social Security,)
)
)
Defendant.)

ORDER OF REMAND

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the consent of the parties [Doc. 18].

Plaintiff Erin Colleen Sullivan, through counsel, filed this action on December 6, 2016 appealing the final decision of the Commissioner which denied her application for supplemental security income. [Doc. 1]. Plaintiff subsequently filed a Motion for Judgment on the Pleadings [Doc. 19], and the Commissioner filed a Motion for Summary Judgment [Doc. 21]. On March 21, 2018, the Court denied Plaintiff's Motion for Judgment on the Pleadings and granted the Commissioner's Motion for Summary Judgment, thus affirming the Commissioner's decision denying benefits and dismissing the case. [Doc. 24]. Plaintiff then filed a notice of appeal on May 16, 2018. [Doc. 26]. On December 17, 2018, the Court of Appeals for the Sixth Circuit vacated the Court's order and directed a remand to the Commissioner for further proceedings. [Doc. 28]. The mandate has now issued.

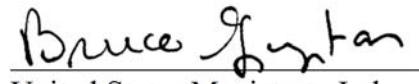
Accordingly, pursuant the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the Sixth

Circuit's mandate to remand this action, the Court hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner. *See Shalala v. Schaefer*, 509 U.S. 292, 296 (1993); *Melkonyan v. Sullivan*, 501 U.S. 89, 97–98 (1991). Upon receipt of the Court's remand order, the Appeals Council of the Social Security Administration **SHALL REMAND** the case to the Administrative Law Judge (“ALJ”) for reconsideration consistent with the Sixth Circuit's opinion.

Specifically, this matter is **REMANDED** to the Commissioner for reconsideration consistent with the Sixth Circuit's opinion, including that the ALJ reconsider or more fully explain the lack of weight given to Dr. Gray's opinions and, if necessary, re-evaluate Plaintiff's testimony and reconsider the step-two determination that Plaintiff's CRPS is not a severe impairment.

IT IS SO ORDERED.

ENTER:



United States Magistrate Judge